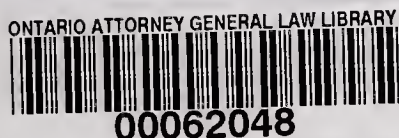


**Français****Results-based Plan Briefing Book 2008/09****MINISTRY OF THE  
ATTORNEY GENERAL  
LAW LIBRARY****PART I****MINISTRY OVERVIEW**

The Ministry of the Attorney General is responsible for providing a fair and accessible justice system that reflects the needs of diverse communities across the province. The ministry employs approximately 8,100 staff who:

- work in criminal, civil and family courts;
- prosecute crime;
- provide services to victims and vulnerable Ontarians;
- provide legal services to Government.

The ministry is guided by four key strategies to support the government priority of "Stronger, Safer Communities." They are:

**Improving the Effectiveness of the Criminal Justice System**

The ministry helps protect community and personal safety through the effective prosecution of offences. More than 900 Crown attorneys prosecute approximately 500,000 charges each year.

**Protecting the Interests of the Most Vulnerable**

The ministry delivers or supports a broad range of special services to vulnerable people. These include:

- decision-making by the **Office of the Public Guardian and Trustee** for mentally incapable people with no one else to act on their behalf;
- legal representation of children through the **Office of the Children's Lawyer**;



- **supervised access** for families with custody and access issues;
- funding for **Legal Aid Ontario**.

The ministry is also responsible for the Ontario Human Rights Code. The ministry is working to modernize Ontario's human rights system following passage of a law amending the Code in December 2006. The **Ontario Human Rights Commission** will continue to promote, protect and advance human rights. As of June 30, 2008, all discrimination claims will be filed directly with the **Human Rights Tribunal of Ontario**. The new Human Rights Legal Support Centre will offer claims-related legal and support services to people across Ontario.

## **Ensuring Access to Victims Services**

The ministry provides and supports a wide array of services for victims of crime through community and court-based initiatives. These services begin at the scene of a crime and continue through the court process.

## **Delivering a Modern and Efficient Court System**

The ministry administers criminal, civil and family courts. In these courts, ministry employees:

- provide courtroom and administrative support;
- maintain records;
- enforce civil orders;
- collect fines and fees;
- give information to the public.

The ministry also works with judges and other justice partners to improve access to justice.

Additionally, the ministry supports the government's priority of serving a "Vital Public Interest".

The ministry supports the role of the Attorney General as Chief Law Officer of the Crown. It provides the government with expert legal services, advocacy and representation before tribunals and at all levels of the court.

The ministry also maintains public accountability for the administration of:

- the **Criminal Injuries Compensation Board**



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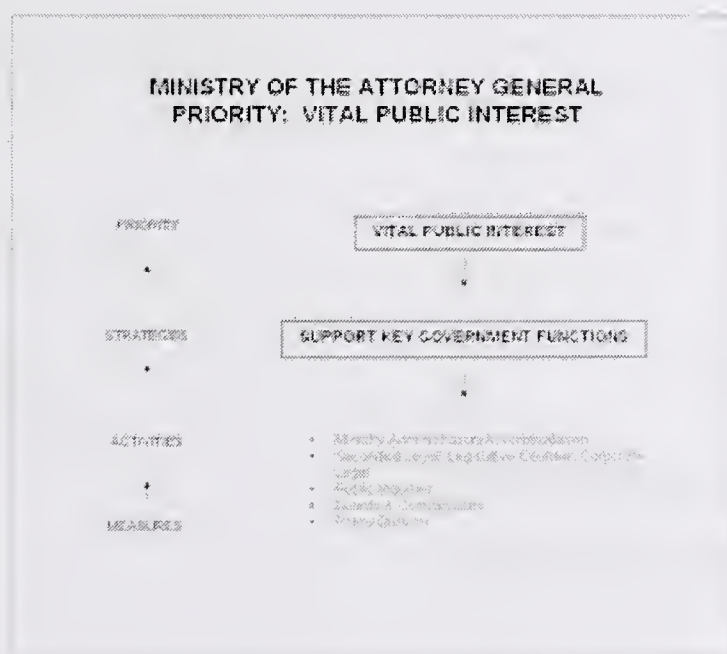
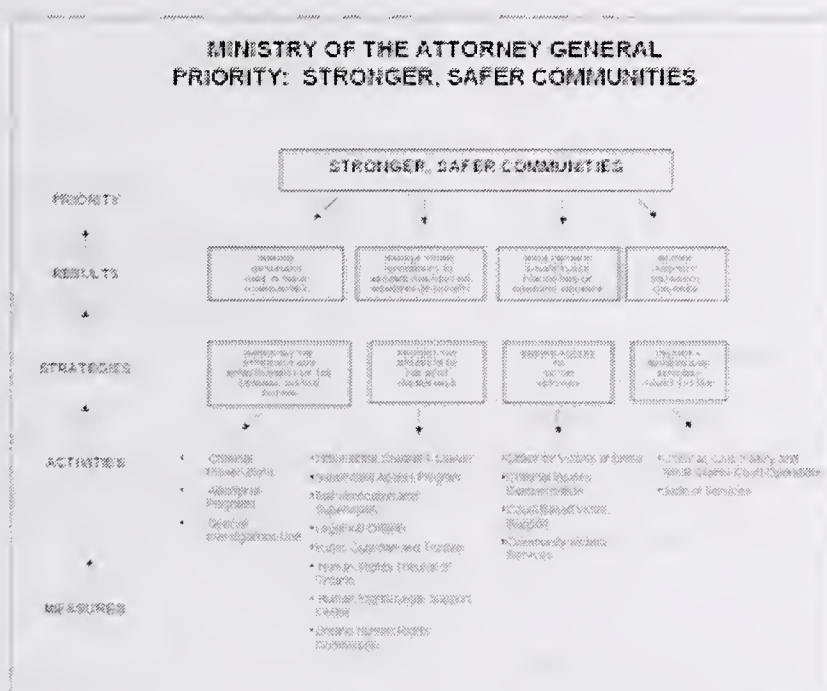
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- the Assessment Review Board
- the Ontario Municipal Board
- the Board of Negotiation
- the Special Investigations Unit.

The following charts demonstrate how the government's priorities and results are supported by the ministry's strategies and activities.

*Click on the images below to open full-size images*



### ORGANIZATIONAL CHART (PDF)



# MINISTRY LEGISLATION

## ADMINISTRATION OF JUSTICE

*Administration of Justice Act*  
*Age of Majority and Accountability Act*  
*Arbitration Act, 1991*  
*Bail Act*  
*Blind Persons' Rights Act*  
*Class Proceedings Act, 1992*  
*Commissioners for Taking Affidavits Act*  
*Compensation for Victims of Crime Act*  
*Courts of Justice Act*  
*Crown Witnesses Act*  
*Dog Owners' Liability Act*  
*Evidence Act*  
*Execution Act*  
*Fines and Forfeitures Act*  
*Habeas Corpus Act*  
*Hospitals and Charitable Institutions*  
*Inquiries Act*  
*Human Rights Code*  
*Judicial Review Procedure Act*  
*Juries Act*  
*Justices of the Peace Act*  
*Legal Aid Services Act, 1998*  
*Legislation Act, 2006*  
*Limitations Act, 2002*  
*Negligence Act*  
*Notaries Act*  
*Ontario Municipal Board Act*  
*Police Services Act (s.113)*  
*Provincial Offences Act*  
*Public Inquiries Act*

## BUSINESS REGULATION

*Absconding Debtors Act*  
*Assessment Review Board Act*  
*Bulk Sales Act*  
*Business Records Protection Act*  
*Charitable Gifts Act*  
*Charities Accounting Act*  
*Construction Lien Act*  
*Costs of Distress Act*  
*Creditors' Relief Act*  
*Electronic Commerce Act, 2000*  
*Employers and Employees Act*  
*Frustrated Contracts Act*  
*International Sale of Goods Act*  
*Mercantile Law Amendment Act*  
*Pawnbrokers Act*  
*Sale of Goods Act*  
*Statute of Frauds*  
*Ticket Speculation Act*  
*Unconscionable Transactions Relief Act*  
*Vendors and Purchasers Act*  
*Wages Act*  
*Warehouse Receipts Act*

## PROFESSIONAL REGULATION

*Architects Act*  
*Barristers Act*  
*Law Society Act*  
*Professional Engineers Act*  
*Public Accounting Act, 2004*





*Real Property Limitations Act*  
*Rescuing Children from Sexual Exploitation*  
*Act 2002 (Parts III and IV) (not in force)*  
*Safe Streets Act, 1999*  
*Statutory Powers Procedure Act*  
*Victims Bill of Rights, 1995*

## **FAMILY LAW**

*Children's Law Reform Act*  
*Domestic Violence Protection Act, 2000(Not in force)*  
*Family Law Act*  
*Parental Responsibility Act, 2000*

## **INTER-JURISDICTIONAL**

*Enforcement of Judgment Conventions Act, 1999*  
*International Commercial Arbitration Act*  
*Inter-Provincial Summonses Act*  
*Interjurisdictional Support Orders Act*  
*International Interests in Mobile Equipment Act (Aircraft Equipment), 2002 (not in force)*  
*Reciprocal Enforcement of Judgments Act*  
*Reciprocal Enforcement of Judgments (UK) Act*  
*Settlement of International Investment Disputes Act, 1999 (not in force)*  
*Trans-boundary Pollution Reciprocal Access Act*

## **PROPERTY STATUTES**

*Accumulations Act*  
*Aliens' Real Property Act*

*Solicitors Act*

## **CROWN DUTIES/IMMUNITY**

*Crown Agency Act*  
*Crown Attorneys Act*  
*Ministry of the Attorney General Act*  
*Ombudsman Act*  
*Proceedings Against the Crown Act*  
*Public Authorities Protection Act*  
*Public Officers Act*

## **ESTATES**

*Absentees Act*  
*Crown Administration of Estates Act*  
*Declarations of Death Act, 2002*  
*Estates Act*  
*Estates Administration Act*  
*Perpetuities Act*  
*Powers of Attorney Act*  
*Public Guardian and Trustee Act*  
*Settled Estates Act*  
*Substitute Decisions Act, 1992*  
*Succession Law Reform Act*  
*Trustee Act*  
*Variation of Trusts Act*

## **OTHER**

*Civil Remedies Act, 2001*  
*Donation of Food Act*  
*Executive Council Act*  
*Good Samaritan Act*  
*Libel and Slander Act*  
*Lieutenant Governor Act*  
*Members' Integrity Act*



*Conveyancing and Law of Property Act*  
*Disorderly Houses Act*  
*Escheats Act*  
*Expropriations Act*  
*Fraudulent Conveyances Act*  
*Mortgages Act*  
*Occupiers' Liability Act*  
*Partition Act*  
*Property and Civil Rights Act*  
*Religious Organizations' Lands Act*  
*Short Forms of Leases Act*  
*Trespass to Property Act*

*Ontario Association of Former  
 Parliamentarians Act*  
*Prohibiting Profiting from Recounting  
 CRIMES Act, 2002*  
*Revised Statutes Confirmation and  
 Corrections Act*  
*Religious Freedom Act*  
*Time Act*

## DEMOCRACY STATUTES

*Election Act*  
*Election Finances Act*  
*Electoral System Referendum Act, 2007*  
*Representation Act*  
*Legislative Assembly Act*

## DORMANT ACTS

*Ontario Law Reform Commission Act*

# AGENCIES, BOARDS AND COMMISSIONS REPORTING TO THE MINISTRY

Description	Accrual 2008-09 Estimates		2007-08 Interim Actual	
	Expenditure \$	Revenue \$	Expenditure \$	Revenue \$
Assessment Review Board	7,771,400	1,070,000	8,652,500	700,000



<b>Criminal Injuries Compensation Board</b>	23,984,200		136,327,000	
<b>Ontario Municipal Board</b>	6,882,300	302,500	7,587,100	243,162
<b>Ontario Human Rights Commission</b>	13,656,800		15,050,400	
<b>Human Rights Tribunal of Ontario</b>	9,919,400		3,325,200	
<b>Human Rights Legal Support Centre</b>	4,614,700		536,700	
<b>Public Inquiries</b>	12,085,600		20,497,500	
<b>Legal Aid Ontario</b>	285,811,100	50,438,222	283,872,600	50,500,000

*Interim Actuals reflect the numbers presented in the Ontario Budget*

## MINISTRY FINANCIAL INFORMATION





**Table 1: Ministry Planned Expenditures (\$) 2008-09**

OPERATING EXPENSE	1,312,470,214
CAPITAL EXPENSE	213,595,100
<b>Total</b>	<b>1,526,065,314</b>

[View a larger version of the table](#)

**Table 2: Operating and Capital Summary by Vote 2008-09**

Vote	Estimates 2008-09	Change from 2007-08 Estimates		Estimates 2007-08	Interim Actuals 2007-08	Actuals 2006-07
	\$	\$	%	\$	\$	\$
<b>OPERATING AND CAPITAL</b>						
Ministry Administration	208,911,200	17,440,100	9.1	191,471,100	206,540,900	195,295,762
Prosecuting Crime	250,077,500	28,613,000	12.9	221,464,500	233,439,100	208,715,126
Family Justice Services	370,044,900	15,309,900	4.3	354,735,000	364,758,100	341,940,226
Legal Services	82,568,100	15,484,500	23.1	67,083,600	80,965,800	68,129,018
Court Services	506,900,200	59,785,600	13.4	447,114,600	485,928,100	353,331,395
Victim Services	102,797,400	(5,635,700)	(5.2)	108,433,100	209,312,900	87,834,368
Total Including Special Warrants	1,521,299,300	130,997,400	9.4	1,390,301,900	1,580,944,900	1,255,245,895
Less: Special Warrants	-	(420,735,000)	(100.0)	420,735,000	-	-
Total Operating and Capital Expense To Be Voted	1,521,299,300	551,732,400	56.9	969,566,900	1,580,944,900	1,255,245,895
Special Warrants	-	(420,735,000)	(100.0)	420,735,000	-	-
Statutory Appropriations	4,766,014	1,315	0.0	4,764,699	41,964,014	26,340,998
Ministry Total Operating and Capital Expense	1,526,065,314	130,998,715	9.4	1,395,066,599	1,622,908,914	1,281,586,893
Consolidations & Other Adjustments	66,317,000	(3,836,000)	(5.5)	70,153,000	63,885,000	56,343,396
Total Including Consolidations & Other Adjustments	1,592,382,314	127,162,715	8.7	1,465,219,599	1,686,793,914	1,337,930,289
<b>ASSETS</b>						
Family Justice Services	499,000	(262,000)	(34.4)	761,000	-	-



Total Operating Assets to be Voted	499,000	(262,000)	(34.4)	761,000	-	-
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## MINISTRY RESULTS-BASED PLAN 2008-09

Through its Results-Based Plan, the Ministry of the Attorney General is committed to meeting the government's priorities of "Stronger, Safer Communities" and serving a "Vital Public Interest".

### Stronger, Safer Communities

The government has established the following results:

- make Ontarians safe in their communities;
- enable young offenders to become contributing members of society;
- make Ontario a safe place for victims of domestic violence;
- better protect Ontario's children.

To achieve these results, the ministry has established four strategies, with a number of related objectives for 2008-2009:

### Improve the Effectiveness of the Criminal Justice System

The ministry protects community and personal safety through the prosecution of offences in all criminal matters and criminal appeals before all levels of courts in the province. More than 900 Crown attorneys prosecute approximately 500,000 charges per year. The ministry is working to improve the effective functioning of the criminal justice system. Managing caseloads requires a multi-faceted, coordinated approach. The ministry is working in cooperation with all partners in the justice system, including Crowns, police, the judiciary and the private bar.

The Honourable Patrick LeSage, Q.C., and Professor Michael Code are reviewing procedures for large and complex criminal cases. They will identify issues and recommend solutions to move these cases through the justice system faster and more effectively.

The ministry is working to find new and innovative ways to move criminal cases through the system faster. A more effective system will allow the ministry to focus more resources on high priority criminal offences and offenders. This enhances public safety and confidence in the criminal





justice system.

In 2008-2009, the ministry will set public targets for the time and number of court appearances needed to complete criminal cases.

To this end, the percentage of criminal charges that went to trial was eight per cent in 2007-2008. This helps to ensure that court time is used as effectively as possible and allows the most serious charges to proceed to trial more quickly. This figure is expected to remain at or below nine per cent in 2008-2009.

Additionally, the percentage of criminal charges resolved without a trial date being set was 77 per cent in 2007-2008. It is expected to be at least 72 per cent in 2008-2009. This allows for more court time for those charges that cannot be resolved prior to trial.

The ministry will continue to employ other measures to improve the effectiveness of the system, including backlog reduction courts at the busiest court sites.

As of March 31st, 2008, the Government had appointed 73 judges and 113 Justices of the Peace to the Ontario Court of Justice since October 2003.

The **Youth Justice Committee (YJC) program** is an alternative to the formal court process that holds low-risk young offenders accountable for their behaviour and addresses issues that may lead to re-offending. It brings together youths aged 12 to 17, their parents, victims and trained members of the community to work out an appropriate way for the young person to make amends, such as community service, restitution or a personal apology to the victim. In 2007-2008, 78 per cent of youth who attended a YJC meeting successfully completed the program. It is expected that at least 79 per cent of youth will do so in 2008-2009. The YJC program expanded in 2007, and now operates in 57 communities across the province, representing every base court jurisdiction.

On an ongoing basis, the ministry also supports Aboriginal Justice programs, including the development of the Aboriginal Justice Strategy.

**Ontario's New Approach to Aboriginal Affairs** recognizes the importance of developing this strategy, together with Aboriginal partners. The ministry is working closely with the Aboriginal Justice Strategy Advisory Committee. This committee brings Aboriginal organizations and representatives together with justice sector ministries to develop strategic directions to achieve the strategy's objectives.

## **Guns and Gangs**

The ministry continues playing a leading role in the government's anti-gun and gang strategy. In



2008-2009, the government will continue to work with all levels of government and members of the community to find legislative changes and community-based initiatives to help reduce gun violence.

The ministry will continue to support the work of the **Guns and Gangs Task Force**. This task force of police, Crowns and victim services staff work together from the first day of an investigation. These specialized Crown prosecutors provide early legal advice to police, especially on search warrants or other issues arising in an investigation. When needed, they get legal authorization for the police to conduct wiretaps. After charges are laid by police, Crown prosecutors prepare and conduct the prosecutions.

A second major crime courtroom is now open in Toronto. It increases the criminal justice system's ability to deal with large-scale prosecutions. The ministry also hired 40 new Crown attorneys and 15 support staff who will be working across the province to make communities safer.

Ontario will continue to call on the federal government to ban handguns. It will also continue to express its disappointment that the federal government has again decided to exempt "long gun" owners from having to register their firearms for a third consecutive year.

In 2008-2009, the ministry and its justice partners will work to protect the public from high-risk offenders. In 2007, the Premier announced a \$21.5 million, five-year plan to better prosecute and manage dangerous and long-term offenders. Police and victim services staff will be monitoring repeat offenders in the community and notifying victims of their release.

## **Protect the Interests of the Most Vulnerable**

The ministry is committed to protecting the interests of the most vulnerable in the province. A range of services is provided by the **Office of the Public Guardian and Trustee**, the **Office of the Children's Lawyer**, the **Supervised Access program** and **Legal Aid Ontario**.

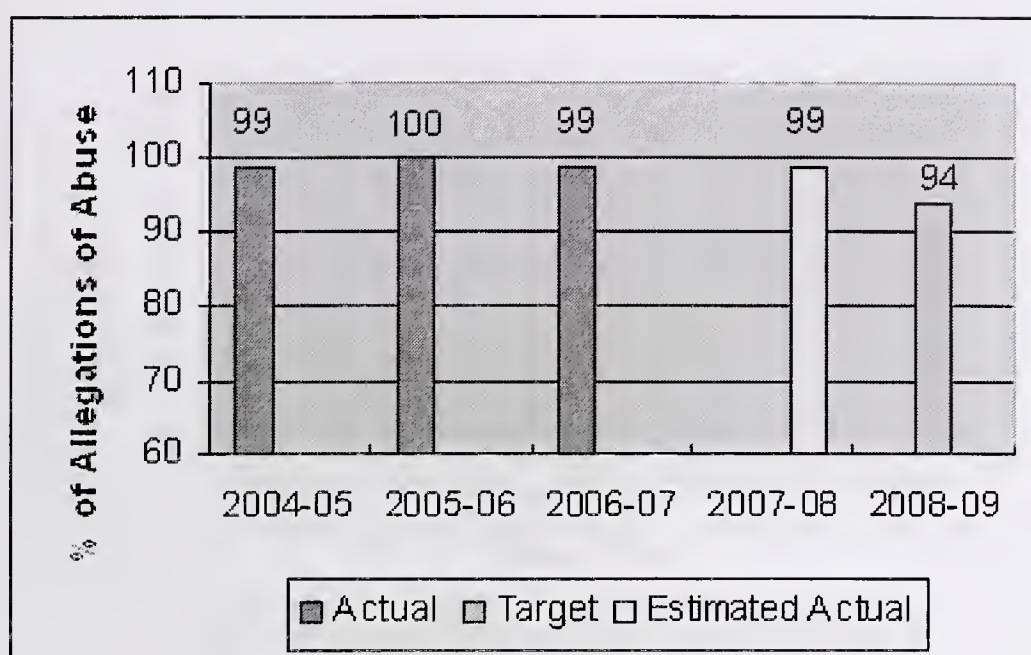
Some key performance measures related to these services are:

### **Office of the Public Guardian and Trustee**

- Percentage of allegations of abuse of mentally incapable adults responded to within 24 hours by the Office of the Public Guardian and Trustee

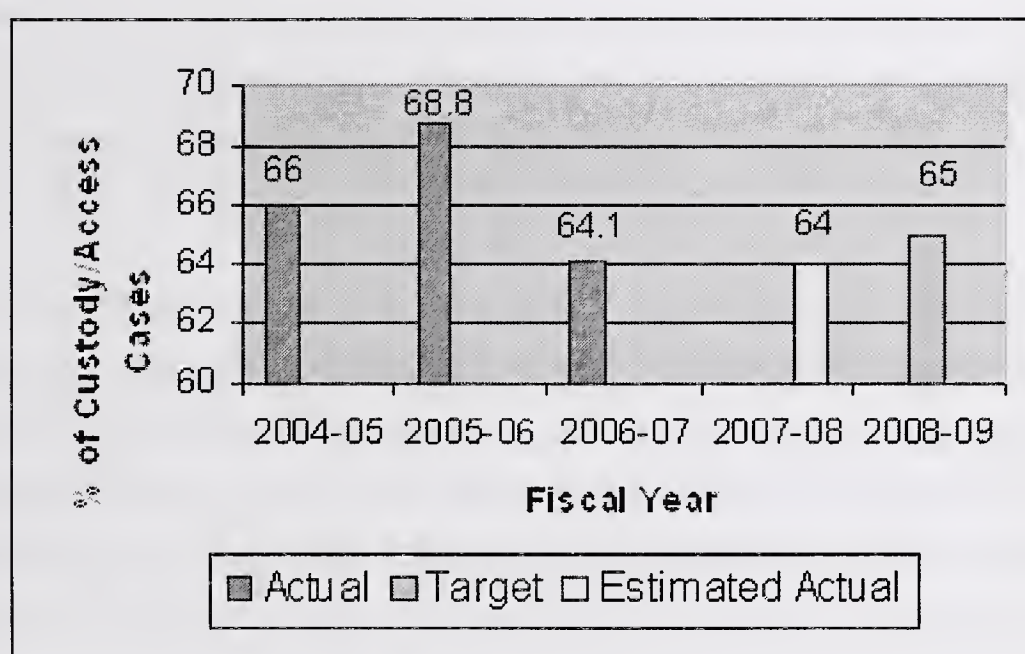






## Office of the Children's Lawyer

- Percentage of custody/access cases involving the Office of the Children's Lawyer that are settled without a trial

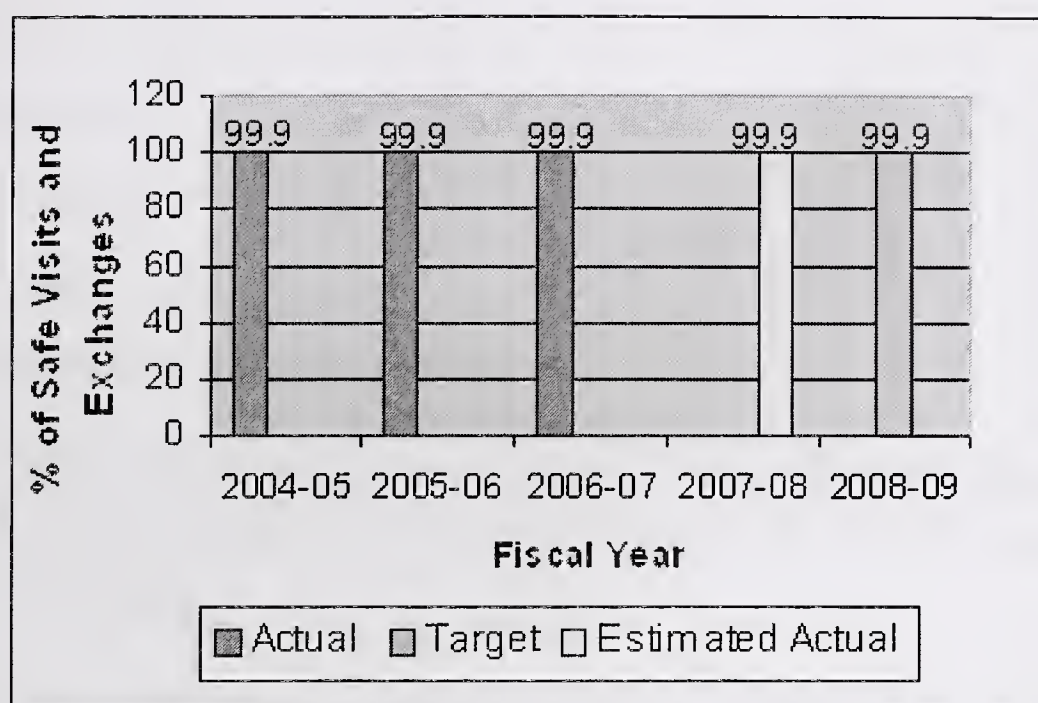


## Supervised Access Program

- Percentage of safe visits and exchanges without incident between children and their non-custodial parent in Supervised Access Centres







Legal Aid Ontario (LAO) is an arm's-length agency responsible for providing high quality legal aid service to low-income Ontarians. The government's 2007 budget increased LAO's funding by \$51 million over three years. This includes \$17 million in 2008-2009.

In 2007-08, the percentage of Legal Aid Ontario family settlement conferences that resulted in settlement out of court was 61 per cent. This rate is expected to remain consistent in 2008-09. This greatly benefits children and their families, and contributes to the effectiveness of the system by directing cases away from the courts.

In 2008-2009, the ministry will continue to work with LAO on the implementation of **a new protocol for managing court-ordered, publicly-funded criminal defences**. The protocol was developed in 2007 to ensure public funds are spent effectively through greater financial oversight and assessment powers. When a judge orders the ministry to fund the defence of an accused person who is not receiving legal aid, the ministry and LAO will appear before the court together to recommend funding and billing processes that could be made official in a court order.

The ministry expects to receive Professor Michael Trebilcock's review of Ontario's legal aid system in the Spring of 2008. Ontario will also continue to press the federal government, as a partner in the justice system, to pay its fair share of legal aid costs.

The ministry is responsible for the Ontario Human Rights Code. The ministry is working to modernize Ontario's human rights system following passage of a law amending the Code in December 2006.

The new system will launch June 30, 2008. The **Ontario Human Rights Commission** will continue to promote, protect and advance human rights. The Commission's duties will include:



- public inquiries;
- research and analysis;
- education and training;
- policy development;
- working to build an active human rights culture.

All discrimination claims will be filed directly with the **Human Rights Tribunal of Ontario**. All cases within the tribunal's jurisdiction will receive early access to an adjudicator to be resolved fairly, effectively and quickly.

The new Human Rights Legal Support Centre will offer claims-related legal and support services to people across Ontario. This could range from advice and support to legal representation. The Centre will be an independent corporation, and will be publicly funded and accountable.

## **Ensure Access to Victim Services**

The ministry funds community-based agencies that deliver a broad range of victim services, including:

- crisis assistance and referral services
- sexual assault services
- child witness programs
- counselling programs for spouses who have assaulted their partners
- safety planning for people at risk of violence.

The ministry's \$16 million **Victim/Witness Assistance Program** is a cornerstone of services provided to victims of violent crime in Ontario. This program helped 66,000 people last year. It provides direct support, information and referrals to victims and witnesses of crime involved in the criminal court process. This year, the program will make day-one contact with domestic violence victims.

The percentage of clients satisfied with the services provided by this program was 93.7 per cent in 2007-2008. The ministry expects this rate to be maintained through 2008-2009.

The ministry is responsible for the administration of the

**Criminal Injuries Compensation Board** (CICB). Former Chief Justice Roy McMurtry is **considering the role of direct compensation within the spectrum of victim services** provided





by the ministry and organizations accountable to it, including the CICB. The ministry expects his report later this year.

The CICB will continue work initiated in 2007-2008, for which the province earmarked \$100 million in one-time funding for compensation awards. This money will provide compensation to at least 8,000 victims of violent crime and their families who have applied for compensation to the board. The CICB will continue to eliminate backlogs and modernize its operations, to position itself to respond to any potential recommendations from Mr. McMurtry.

The **Victim Crisis Assistance Referral Service** is another ministry-funded program that support victims of crime. It provides immediate help to victims whenever they need it. Trained volunteers can be dispatched to provide on-site, short-term crisis assistance. This program's funding will be increased in 2008-2009 by \$1.8 million.

A program for child victims and witnesses will expand in 2008-2009. The ministry currently funds centres that offer court assistance to children who are victims or witnesses of violent crime. It will soon be offered in eight locations around the province.

In response to a growing demand for its services, funding for the **Partner Assault Response program** will grow this year by \$2 million to \$10.6 million. This program provides education and counselling for offenders, and support and referrals to community agencies for victims. It operates across the province.

The ministry will continue to support the Bail Safety Program. The program allows for trained staff to interview victims before a bail hearing. This allows Crowns to present the best possible evidence to the presiding judge or justice of the peace. It currently operates in 10 sites across the province.

The Attorney General awarded the inaugural Victim Services Awards of Distinction in 2007-2008. These awards recognize individuals or groups who have delivered support to victims of crime, as well as those who work to raise the profile of victim services in the province. They will be held again in 2008-2009.

## **Deliver a Modern and Efficient Court System**

The ministry is responsible for the administration of criminal, civil, family and small claims courts in Ontario. It is committed to providing a modern and professional court service that supports accessible, fair, timely and effective justice. Services include:

- providing public information at court counters and information centres;

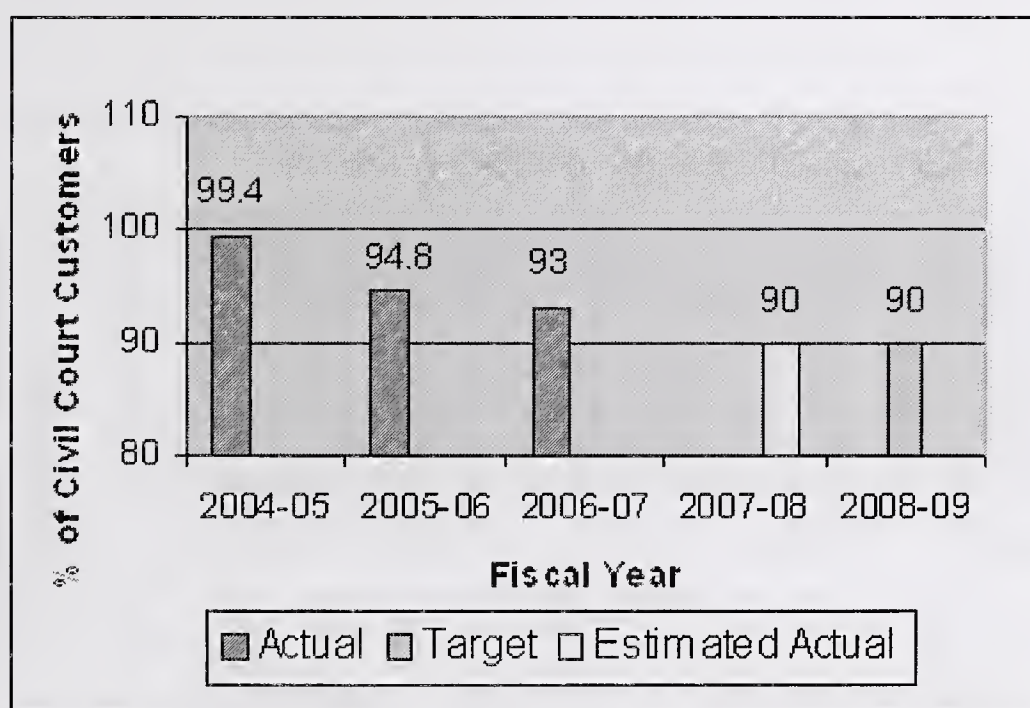


- maintaining court records;
- providing courtroom support for the judiciary;
- managing juries;
- delivering family and civil mediation programs;
- enforcing court orders;
- providing administrative support for the appointment of judges and other judicial officials.

Some key performance measures that show how these services enhance access to justice include:

## Civil Court

- Percentage of civil court customers with single filings who were served in less than 20 minutes

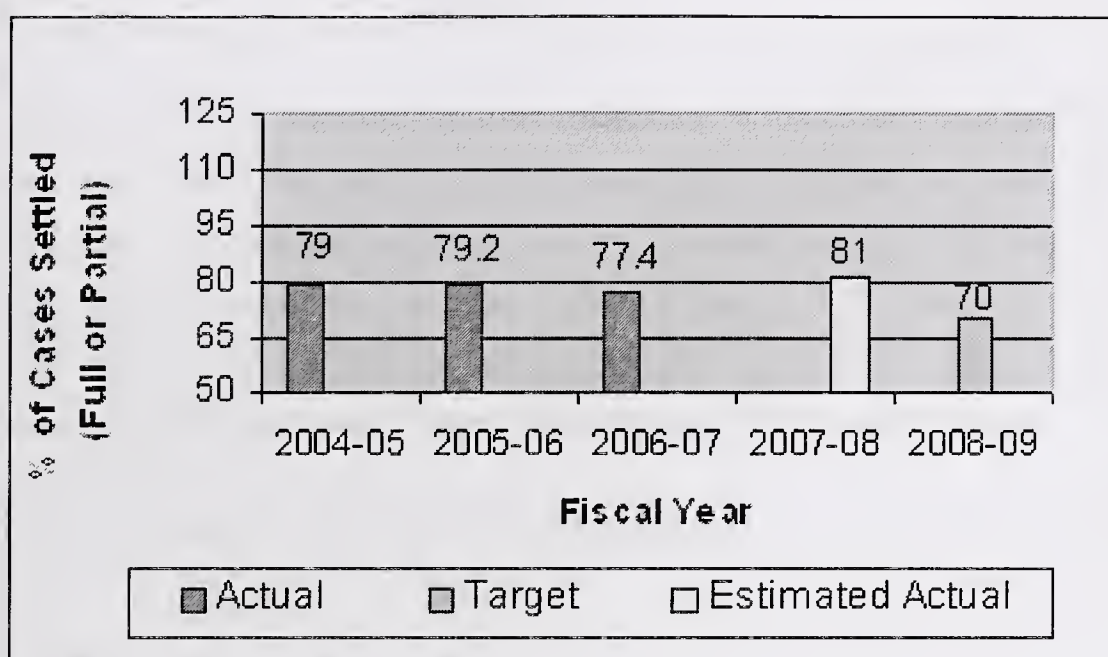


## Family Court

- Percentage of cases that proceeded to Family Mediation that were fully or partially settled

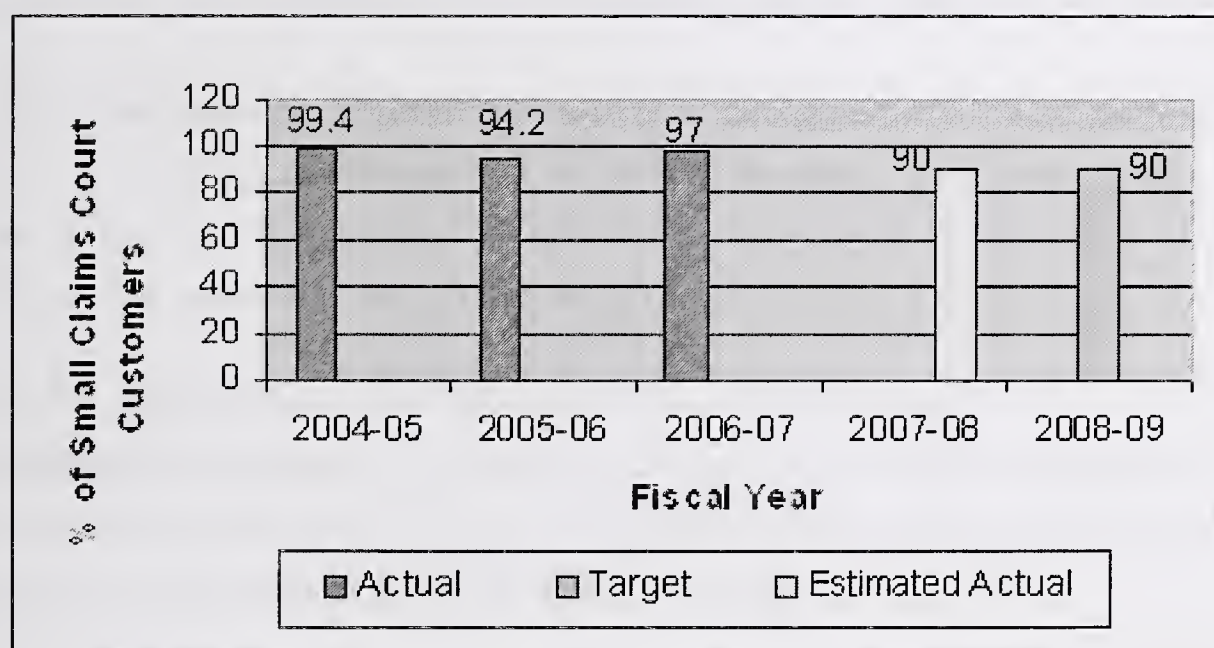






## Small Claims Court

- Percentage of small claims court customers with single filings who were served in less than 20 minutes



In 2008-2009, the ministry expects to receive the Honourable Coulter Osborne's final report on ways to improve Ontario's civil justice system. The ministry received Mr. Osborne's **summary report** in November 2007. It contains 81 recommendations on the civil justice system.

The Attorney General has held focussed discussions with justice partners in communities across the province to get their feedback on the summary report.

In 2008-2009, the ministry will continue to upgrade court facilities across the province.

Construction will continue on the Durham Consolidated Courthouse in Oshawa. This new facility





will be built to top energy conservation standards.

Other strategic investments and planning studies for future projects will continue across the province. The Ontario Realty Corporation (ORC) is working to determine potential sites for a consolidated courthouse in Waterloo Region. In Sioux Lookout, the ORC is working with an architect to finalize requirements for a new location. Site selection is underway for consolidated courthouses that will be built in St. Thomas, Quinte Region and Thunder Bay. A planning study is underway for a new consolidated courthouse in Guelph and Wellington County.

The ministry will also continue its work to increase accessibility in Ontario courthouses.

## **Vital Public Interest**

Through its Legal Services Division, the ministry supports the role of the Attorney General as Chief Law Officer of the Crown. It provides the government with expert legal services, advocacy and representation before tribunals and at all levels of court. The percentage of government clients satisfied with services provided by the Legal Services Division was 92 per cent in 2006-07 and 93 per cent in 2007-2008. This satisfaction rate is expected to be at or above 90 per cent in 2008-2009.

The **Ontario Municipal Board** (OMB) is an independent agency of the government that reports to the ministry. The OMB hears applications on land use planning, development and other municipal issues. In 2007-2008, 81 per cent of OMB decisions were issued within 45 days of the end of a hearing. This rate is expected to increase to 85 per cent in 2008-2009.

In 2008-2009, the ministry will continue to support the work of the new

**Law Commission of Ontario**. The commission works with academic institutions, the legal community, the judiciary and the public. The Law Commission generates practical and creative solutions to existing challenges in the legal system. It opened in 2007.

The government is moving forward with the design and implementation of a new police complaints system, after **passage of a law in 2007**. This system will be run by a new civilian organization, and led by an Independent Police Review Director. The Director will be appointed in the spring of 2008. The new system is expected to be up and running in 2009.

This independent civilian body will be responsible for receiving complaints and determining who would be best to investigate. It could investigate the complaint itself, or refer it to the police service affected or another police service altogether. Members of the public would still be able to deal directly with their local police service, if they prefer.



The ministry will continue to provide administrative support for two ongoing public inquiries.

The **Cornwall Public Inquiry** into allegations of abuse of young people continues. Headed by Justice Normand Glaude, this inquiry is looking into the response of the justice system and other public institutions to the allegations of historical abuse. It is also considering processes, services and programs that would encourage community healing and reconciliation.

The Honourable Mr. Justice Stephen Goudge of the Court of Appeal for Ontario is leading **a public inquiry into the oversight of Ontario's pediatric forensic pathology system**. His report is expected by September 30, 2008.

For more information on the Ministry's programs and services, please contact the Ministry of the Attorney General at 1-800-518-7901 or visit **[www.ontario.ca/attorneygeneral](http://www.ontario.ca/attorneygeneral)**.







